

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA**

In re:

MICHAEL W. DECKER

**Case No. 17-50297
Chapter 7**

Debtor.

KILMER & ASSOCIATES, CPA, PC

Plaintiff,

v.

Case No. 17-05012

MICHAEL W. DECKER, et al

Defendants.

ORDER

THIS CAUSE came before the Court on March 14, 2018 for a hearing on the Motion *in Limine* to Exclude Evidence or Dismiss Action for Failure to Comply with a Court Order (“Motion”) filed by Michael W. Decker, appearances having been made by counsel for Michael W. Decker (“Decker”) and counsel for Kilmer & Associates, CPA, PC (“Kilmer”); and

WHEREUPON the Court considered the written submissions of the parties and the oral argument made and for the reasons stated on the record; it is hereby

ADJUDGED and ORDERED that Decker’s Motion is GRANTED, in part, pursuant to the remaining terms of this Order; and it is further

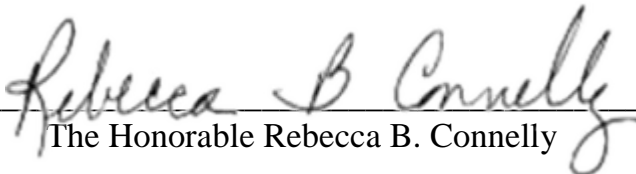
ADJDUGED and ORDERED that Kilmer shall only be permitted to call Decker as a witness at trial and testimony by any other witness is prohibited;

ADJUDGED and ORDERED that Kilmer shall only be permitted to offer into evidence at trial, subject to objection by Decker, Exhibit Nos. 1, 2, 3, 4, 39, 40, 41, 42, 46, 47, 48, and any other Exhibits by Kilmer are excluded; and it is further

ADJUDGED and ORDERED that this Motion shall not prohibit Kilmer from tendering into evidence the following documents: KILMER RFP 0022-0041, 0077, 0078 and 0080; and it is further

ADJUDGED and ORDERED that Decker is awarded attorney fees in the amount of \$3,920.00 which are associated with the preparation of the Motion and Memorandum; travel to and from the hearing at 70% of Decker's counsel's customary hourly rate; appearance at the hearing conducted on March 14, 2018; and preparation of this Order.

ENTERED this 16th day of March, 2018.


The Honorable Rebecca B. Connolly

/s/ James P. Campbell
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